

HEARING

DOCKET #

An appeal is hereby made for a variance from the terms of the Zoning Ordinance so as to permit construction of an outside deck which will violate the setback requirements.

Place an (x) before the relief or approvals requested:

- Appeal from decision of building administrator, complete Z-2a
- Bulk (hardship) Variance (N.J.S.A. 40:D-70(c) complete Z-2c
- Special Reasons Variance (N.J.S.A. 40:55D-70(d) complete Z-2d



PREMISES AFFECTED BY THIS APPLICATION

Designation of Tax Map (a) Lot 16

(b) Block

Street Address 5000 S. Long Beach Boulevard

Location Long Beach Township - Holgate

ZONE R-50

USE (if residential use, indicate below whether single family, duplex or other)

- Existing
- Proposed

IS PROPERTY ON COUNTY ROAD () yes

no

Is Property located within 200' of a municipal boundary

yes

no

WHEN was property purchased 11/23/98

Date of original construction

Date of last construction, alteration or addition. Describe said construction, alteration or addition.

Has there been any previous appeal involving these premises? no

If so, state character of appeal and date of disposition.

APPLICANT

Name David and Jill Altana

Street Address (permanent residence) 39 Chucknutt Drive

City Oakland

State NJ

Zip Code 07436

Telephone 862-485-8359

OWNER (if different from applicant explain relationship to applicant)

Name Same as above

Street Address

City State Zip Code

Note: If applicant is a partnership or corporation, attach a list of the names and addresses of persons having a ten (10) percent interest or more in the corporation or partnership.

SIZE OF ENTIRE TRACT INVOLVED IN THIS APPLICATION

Dimensions @ 62' x 62'
Area (in square feet) @ 3844'

EXISTING IMPROVEMENTS

Number of principal structures 1
Number of accessory structures 0
Building height (principal) 28'
(accessory) -

Set Backs Principal Accessory
Front yard 14.5 N/A
Rear yard 11.9
Side yards 11.3 7.0

Distance between principal and accessory structure N/A
Total ground coverage (in square feet)
Percentage of building coverage
Percentage of impervious coverage

AFTER COMPLETION OF PROPOSED IMPROVEMENTS

Number of principal structures 1
Number of accessory structures 0
Building height (principal) 28'
(accessory) -

Set Backs Principal Accessory
Front yard 14.5
Rear yard 11.9
Side yards 7.2 7.0

Distance from adjacent principal structures N/A
Distance between principal and accessory structure N/A
Total ground coverage (in square feet)
Percentage of building coverage
Percentage of impervious coverage

Prevailing setback of adjoining buildings within block

VERIFICATION

State of.....
County of.....

The applicants of full age, being duly sworn, upon their oaths depose and say: The statements contained in this application and all schedules thereto are true to the best of our knowledge and belief.

Sworn to and subscribed before me this 12 day of October, 2002
Jerry J. Dastl
Attorney at Law
State of New Jersey

[Signature]
APPLICANT
[Signature]
APPLICANT

SCHEDULE II
Form Z-2c

BULK (HARDSHIP) VARIANCE (NJSA40:55D-70(c))
TOWNSHIP OF LONG BEACH LAND USE BOARD

A. Describe all bulk variances requested and the section of the Zoning Ordinance from which the relief is sought.

I am seeking bulk variance relief to extend my existing deck 4 additional feet, which currently sits approximately 11.2' feet off the property line that runs adjacent to S. Long Beach Boulevard. I am proposing to erect a deck that will now exist 7.2 feet off S. Long Beach Boulevard. Pursuant to section 205-12(b) every building shall have side yards totaling not less than 30% of the lot frontage but in no event less than a total of 15 feet with a minimum of four feet on one side. Currently existing, my one side yard that abuts lot 17, has a set back of 6.9 feet. Therefore, my proposal requests that this Board relax the 15 feet total setback requirement to permit a combined set back of approximately 14.1' feet. As a result, variance relief in the form of a approximately one foot is respectfully requested.

B. Explain in detail how the strict application of the provisions of the Zoning Ordinance would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant by reason of the exceptional narrowness, shallowness or shape of the property or by reason of exceptional topographic condition and exceptional situation or condition of the property.

C. Explain in detail why a granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

The applicant is seeking variance relief pursuant to N.J.S.A. 40:55D-70(c)(2). Here, the benefits of the requested relief far outweigh any determinants, and the relief advances the purposes of zoning pursuant to the Municipal Land use law as it provides adequate light air and open space. Granting this relief will have a de minimus effect on the Township's zoning ordinance because I am asking the Board relax the total setback requirement by less than one foot. Moreover, the proposed deck size, shape and material used are consistent with the neighborhood. The deck will permit my family and I better enjoy the ambiance of the outdoors while simultaneously offering an additional aesthetic dimension to our home. There will also be no negative effect on my neighbors as the proposed addition to the deck fronts a street.

*See enclosed
Amended
paragraph*

Altana Deck Extension Variance Application Supplemental Answers
5000 South Long Beach Island Blvd

Potential answers to the Application Form Z-2 (from the Survey)

Based on Dave's calculations (attached):

EXISTING IMPROVEMENTS

Total ground coverage (in square feet) 1122

Percentage of building coverage 29.2 %

Percentage of impervious coverage 12%

AFTER COMPLETION OF PROPOSED IMPROVEMENTS

Total ground coverage (in square feet) 1250

Percentage of building coverage 32.5%

1. The approximate setbacks that exist, including any accessory setback
Front 20' Rear 20' Min one side yard 4.11. Accessory Rear 4' Side 4 Adj. Bldg. 5'
2. Approximate percentage of building coverage and impervious coverage
33.33%
3. The same information after completion of proposed improvements
Front to Deck on left 7.3 Front to Deck right 7.2

Revision to Schedule II Form Z-2c

c. Explain in detail why a granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

As the applicant, we are seeking variance relief pursuant to N.J.S.A. 40:55D-70 (c) (2). Here the benefits of the requested relief far outweigh any detriments and the relief advances the purposes of zoning pursuant to the Municipal Land use law as it provides adequate light, air and open space. Granting this relief will have a de minimus effect on the Township's zoning ordinance because we are asking the Board to relax the total setback requirement by less than one foot. Moreover, the proposed deck size, shape and materials used are consistent with those used in the neighborhood decks and will be a significant upgrade to the current deck aesthetics. The deck will permit our family to better enjoy the ambiance of the outdoors while simultaneously offering an additional aesthetic dimension to our home. There will also be no negative effect on my neighbors as the proposed addition to the deck fronts the street.

Standish Surveying

Clay E. Standish, P.L.S. • P.O. Box 571 Ship Bottom, NJ 08008 • 609 361-2136
New Jersey Professional Land Surveyor # 36280 • 7 N. West 44th St, Brant Beach, NJ 08008 • 609 361-2136 fax

BOUNDARY DESCRIPTION

Tax Block 1.22, Lot 16
Long Beach Township
Ocean County, New Jersey

11/14/98
Job No 98-123
Tax Map Sheet # 5

BEGINNING at a point being the intersection of the northwesterly line of S. Long Beach Boulevard (100' R.O.W.) with the southwesterly line of W. Janet Road (50' R.O.W.), and running:

- 1.) S 52° 09' 15" W, 62.73 feet along the aforementioned line of S. Long Beach Boulevard;
- 2.) N 38° 00' 00" W, 61.00 feet;
- 3.) N 52° 00' 00" E, 62.73 feet to the aforementioned line of W. Janet Road;
- 4.) S 38° 00' 00" E, 61.17 feet along said line to the POINT AND PLACE OF BEGINNING.

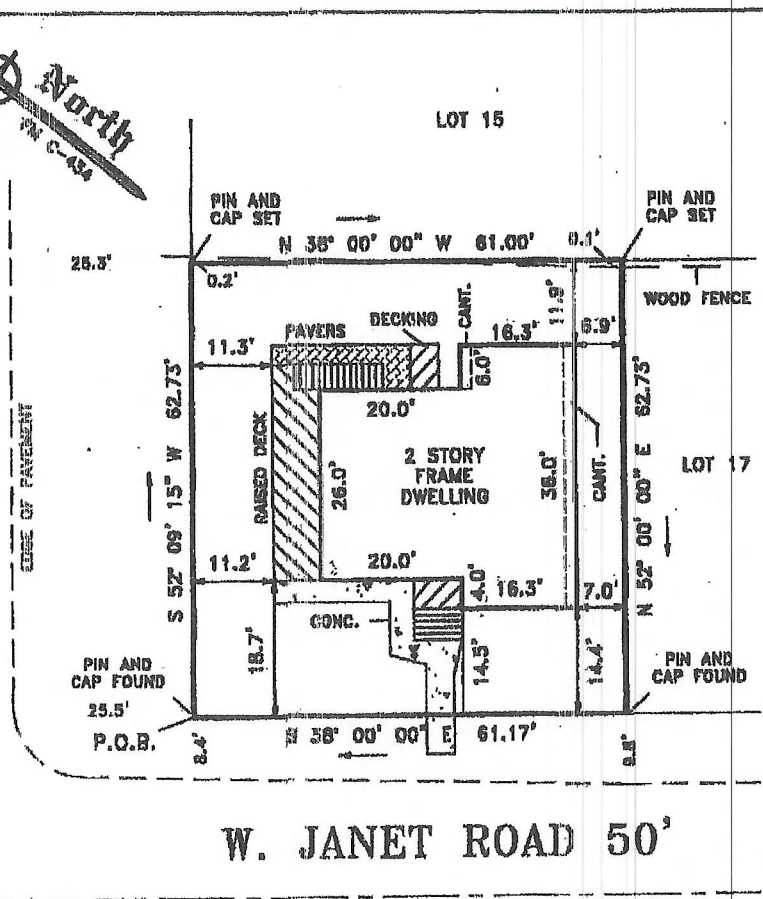
ALSO BEING KNOWN AS Block 'O', Lot 1 as shown on the map entitled "Subdivision Of The Howe Tract For The Shoreland Company In Long Beach Township Ocean County, New Jersey" filed in the Ocean County Clerk's Office, Toms River, New Jersey on 7/8/59 as map C-434

IN ACCORDANCE with a survey performed by Standish Surveying dated 11/14/98



Clay E. Standish
New Jersey Professional Land Surveyor # 36280

S. LONG BEACH BOULEVARD 100'



CERTIFY TO:

- * DAVID ALTANA AND JILL ALTANA, H/W
- * COMMONWEALTH LAND TITLE INSURANCE COMPANY
- * HARRY J. DREXLER, JR., ESQ.
- * JERSEY MORTGAGE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR

NOTES:

- * PROPERTY COMMONLY KNOWN AS 5000 SOUTH LONG BEACH BOULEVARD, HOLGATE, NJ
- * THIS SURVEY IS SUBJECT TO THE FINDINGS OF A TITLE SEARCH
- * THIS SURVEY IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION OF IMPROVEMENTS

FILED MAP:

BLOCK 'O', LOT 1 AS SHOWN ON THE MAP ENTITLED "SUBDIVISION OF THE HOWE TRACT FOR THE SHORELAND COMPANY IN LONG BEACH TOWNSHIP OCEAN COUNTY, NEW JERSEY" FILED IN THE OCEAN COUNTY CLERKS OFFICE, TOMS RIVER, NJ ON 7/8/58 AS MAP C-434

This certification is made to honor named parties for purchase and/or mortgage of herein delineated property by above named purchaser. No responsibility or liability is assumed by surveyor for use of survey for any other purpose including, but not limited to, site of survey for survey officials, records, of property, or to any other person not named in certification either directly or indirectly. The words "certify to" as shown herein, shall not be interpreted to express guaranty of this survey.



75, West 44th St. • Brant Beach, N J • 08008
 PO Box 571 • Ship Bottom, N J • 08008
 (609) 361-2138 office (609) 361-2509 fax

Clay E. Standish

Clay E. Standish N.J.P.L.S. #38280
 New Jersey Professional Land Surveyor

MAP OF SURVEY
TAX BLOCK 1.22, LOT 16
LONG BEACH TOWNSHIP
OCEAN COUNTY, NEW JERSEY

ELEVATION CERTIFICATE
FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-007
 Expires July 31, 1999

ATTENTION: Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMRA). You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of this form. Instructions for completing this form can be found on the following pages.

SECTION A PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
BUILDING OWNER'S NAME <u>DAVID AND JILL ALTAMA</u>		POLICY NUMBER
STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>5000 S. LONG BEACH BOULEVARD</u>		COMPANY NAIC NUMBER
OTHER DESCRIPTION (Lot and Block Numbers, etc.) <u>LOT 16, BLOCK 1.22</u>		
CITY <u>LONG BEACH TOWNSHIP - HOLGATE</u>	STATE <u>NJ</u>	ZIP CODE <u>08008</u>

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM (See Instructions):

1. COMMUNITY NUMBER	2. PANEL NUMBER	3. SUFFIX	4. DATE OF FIRM INDEX	5. FIRM ZONE	6. BASE FLOOD ELEVATION (in AO Zones, use depth)
<u>345301</u>	<u>0017</u>	<u>C</u>	<u>7/15/92</u>	<u>A-B</u>	<u>10</u>

7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): NGVD '29 Other (describe on back)
 8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE: feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION C BUILDING ELEVATION INFORMATION

1. Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level 8.
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of 10.6 feet NGVD (or other FIRM datum—see Section B, Item 7).
 (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of feet NGVD (or other FIRM datum—see Section B, Item 7).
 (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is feet above or below (check one) the highest grade adjacent to the building.
 (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is feet above or below (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? Yes No Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: NGVD '29 Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: Yes No (See Instructions on Page 4)
5. The reference level elevation is based on: actual construction construction drawings
 (NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. The elevation of the lowest grade immediately adjacent to the building is: 7.0 feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION D COMMUNITY INFORMATION

1. If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: feet NGVD (or other FIRM datum—see Section B, Item 7).
 2. Date of the start of construction or substantial improvement 1976

SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME	LICENSE NUMBER (or Affix Seal)		
<u>CLAY E. STANDISH</u>	<u>NJPLS 36280</u>		
TITLE	COMPANY NAME		
<u>LAND SURVEYOR</u>	<u>STANDISH SURVEYING</u>		
ADDRESS	CITY	STATE	ZIP
<u>75 WEST 44th ST</u>	<u>BRANT BEACH</u>	<u>NJ</u>	<u>08008</u>
SIGNATURE	DATE	PHONE	

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

COMMENTS: CRAWL SPACE OPENING MUST REMAIN OPEN OR BE SCREENED. BUILDING REQUIRES 1 SQ FT ADDITIONAL FLOOD VENTING

